

REMARKS

This is in response to the Office Action dated January 29, 2002. Claims 17-40 and 42-205 are pending. Claims 17-40 and 42-205 are rejected. Reconsideration of this application is respectfully requested based on the amendments and arguments presented here.

In paragraph 3 of the office action, claims 17-40 and 42-205 are rejected under 35 U.S.C. Section 103(a) as being unpatentable over Shavit in view of Smith and further in view of Filepp. The Examiner acknowledges that Shavit does not teach video, however, relies on Smith to fill that void. Further, the Examiner acknowledges that a combination of Shavit and Smith would still lack *"storing in memory[,] identification data of an interested buyer in association with a designated area of commercial interest."* To fill that void, the Examiner relies on Filepp. The Examiner takes the position that Filepp teaches the desirability of storing user data in association with a designated are of commercial interest in order to provide targeted advertisements. The claims here are distinct for various reasons. Shavit does not disclose system selectivity in determining a seller. Nor does Shavit disclose seller classifications or consideration of identification data of an interested buyer in association with an area of interest that is designated by that interested buyer. Likewise, if Smith does not store an interested buyer's identity in association with his or her designated area of commercial interest (as pointed out by the Examiner), Smith would not be able to determine appropriate video images for a particular seller nor transmit them at a later time. Filepp allegedly teaches the desirability of storing user data in association with a designated area of interest for purposes of providing targeted advertisements. Applicant respectfully submits that in Filepp, the advertisements are targeted to users based for example on their profiles, the advertisements are not solicited by the users. Applicant's buyers communicate with vendors and are provided select video data as part of that communication.

Applicant respectfully submits that claims 17, 21-26, 29-30, 32, 35-36, 38, 42-46, 48-50, 52, 63-65, 69-70, 73-74, 77, 79, 86, 89, 94, 98, 100, 112, 133, 158, 159, 163-166, 168, 171, 173, 177, 178, 180, 185-188, and 205 are amended here. Applicant respectfully requests the Examiner to consider these claims.

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MARKED VERSION:

17. (Amended) An electronic commercial transaction system for selectively enabling communications via a communication network between **[members of plural groups, including]** at least one or more possibly interested buyer or buyers and **[at least one or more vendors]** at least one of a plurality of vendor sites, at least certain of said buyers having addresses for electronic communication, comprising:

an interface for facilitating interaction of interested buyers via an on-line computer service with a vendor site **[said electronic commercial transaction system],**

an input system for use by the interested buyers to designate at least one area of commercial interest relating to a merchandise or service,

[a memory for storing identification data of an interested buyer in association with said at least one designated area of commercial interest,]

a control system for isolating **[from the interested buyers that are identified to the commercial transaction system, those potential buyers]** a select vendor site associated with [an] the area of commercial interest **[, and electronically outputting to said addresses for electronic communication relating to those potential buyers an indication to said potential buyers regarding said area of interest including a notification of availability of sales of the one or more vendors wherein the sales presentation includes stored video relating to the area of interest including dynamic video data or high resolution freeze frame video data and text data,]**

a memory in communication with the select vendor site for storing identification data of an interested buyer in association with said area of commercial interest designated by the buyer;

whereby the vendor site electronically outputs under control of the control system an indication regarding said area of interest to an indicated address for electronic communication relating to the interested buyer, the indication including select video data presentations including dynamic video data or high resolution freeze frame video data and text data.

21. (Amended) The commercial transaction system of claim 17 wherein the control system for isolating **[those potential buyers]** the select vendor site utilizes purchase data.

22. (Amended) The commercial transaction system of claim 17 wherein the control system for isolating **[those potential buyers]** the select vendor site utilizes cost data.

23. (Amended) The commercial transaction system of claim 17 wherein the control system for isolating **[those potential buyers]** the select vendor site utilizes price data.

24. (Amended) The commercial transaction system of claim 17 wherein the control system or the vendor site **[for isolating those potential buyers includes determination of]** determines the lowest offer from interested buyers.

25. (Amended) The commercial transaction system of claim 17 wherein the control system or the vendor site **[for isolating those potential buyers includes determination of]** determines the highest offer from interested buyers.

26. (Amended) The commercial transaction system of claim 23 wherein the control system **[for isolating those potential buyers]** further **[includes]** considers factors in addition to price.

29. (Amended) The commercial transaction system of claim 17 wherein the control system outputs an indication to said buyers by an electronic mail communication (e-mail).

30. (Amended) The commercial transaction system of claim 29 wherein the addresses for said electronic communication **[is an]** are electronic mail **[address]** addresses.

32. (Amended) The commercial transaction system of claim 31 wherein the addresses for **[electronic]** said telephonic communication are telephone numbers for the buyers.

35. (Amended) The commercial transaction system of claim 17 wherein the control system or the vendor site outputs an indication to said buyers by an electronic bulletin board.

36. (Amended) The commercial transaction system of claim 17 wherein the control system or the vendor site outputs an indication to said buyers by facsimile.

38. (Amended) The commercial transaction system of claim 17 wherein an address for electronic communication is obtained for at least certain of said **[members]** interested buyers from an on-line computer service.

42. (Amended) The commercial transaction system of claim 17 wherein the control system outputs an indication to said buyers by a video download of information **[relating to the area of interest]**.

43. (Amended) The commercial transaction system of claim 42 wherein the control system or the vendor site outputs an indication to said buyers further including audio.

44. (Amended) The commercial transaction system of claim 17 wherein the control system or the vendor site outputs an indication to said buyers by video including information depicting at least in part the products or services relating to the area of interest.

45. (Amended) The commercial transaction system of claim 44 wherein the control system or the vendor site outputs an indication to said buyers by dynamic video relating to the area of interest.

46. (Amended) The commercial transaction system of claim 17 wherein the control system or the vendor site outputs an indication to said buyers at least in part by still picture information depicting at least in part the products or services relating to the areas of interest.

48. (Amended) The commercial transaction system of claim 17 further including a response system to permit buyers to contact said commercial transaction system in response to receipt of said indication to said buyers regarding materials relating to the areas of interest.

49. (Amended) The commercial transaction system of claim 48 further including a reference locator indication, wherein certain buyers enter the reference locator via the input system.

50. (Amended) The commercial transaction system of claim 17 further including an image display system for presenting high resolution still images to said **[potential]** interested buyers upon contact of said system, after the communication of the indication to said potential buyers regarding said area of interest.

52. (Amended) The commercial transaction system of claim 17 further including a dynamic video display system for presenting dynamic video to said **[potential]** interested buyer upon contact of said system after the communication of the indication to said buyer regarding said area of interest.

63. (Amended) The electronic commercial transaction system of claim 17 wherein at least certain **[members of said plural groups]** buyers are adapted to access said system via an on-line computer service.

64. (Amended) The commercial transaction communication system of claim 63 wherein the identification data is obtained for at least certain **[of said members]** buyers from said on-line computer service.

65. (Amended) An electronic commercial transaction system for selectively enabling communications via a communication network between **[members of plural groups, including]** at least one or more possibly interested buyer or buyers and at least one or more **[vendors]** vendor or vendor sites, at least certain of said buyers having addresses for electronic communication, the electronic commercial transaction system being adapted for use with an on-line computer service, comprising:

an interface for facilitating interaction of interested buyers with said electronic commercial transaction system, at least one said buyer adapted for utilizing an on-line computer service as at least a portion of said interface,

an input system for use by the interested buyers to designate at least one area of commercial interest,

a memory for storing vendor data for a plurality of vendors that are classified according to specific merchandise or services **[identification data of an interested buyer in association with said at least one designated area of commercial interest]**,
and

a control system for providing access to a select vendor based on the area of interest entered by the buyer and interconnecting the selected vendor with the buyer for electronic communication **[isolating from the interested buyers that are identified to the commercial transaction system, at least certain of those potential buyers associated with an area of commercial interest, and electronically outputting to said addresses an address for electronic communication relating to those potential buyers the buyer, an indication to said potential buyers regarding said area of interest including a notification of availability of sales presentations of the one or more vendors including wherein the sales presentation includes]**

including transmitting video data from stored video relating to the area of interest including dynamic video data or high resolution freeze frame video data and text data, the control system also providing **[a]** the buyer with an identification number to identify a particular transaction.

69. (Amended) The commercial transaction system of claim 65 wherein the control system for **[isolating those potential buyers]** for providing access to the select vendor utilizes purchase data.

70. (Amended) The commercial transaction system of claim 65 wherein the control system for **[isolating those potential buyers]** for providing access to the select vendor utilizes cost data.

73. (Amended) The electronic commercial transaction system of claim 65 wherein the control system imposes at least one limitation on access by the **[potential]** interested buyers.

74. The commercial transaction system of claim 71 wherein the control system for **[isolating those potential buyers]** providing access to the select vendor further **[includes]** considers other factors in addition to price.

77. (Amended) The commercial transaction system of claim 65 wherein the control system or the vendor site outputs an indication to said buyers by electronic mail (e-mail).

79. (Amended) The commercial transaction system of claim 65 wherein the control system or the vendor site outputs an indication to said buyers by a telephonic communication.

86. (Amended) The commercial transaction system of claim 65 wherein an address for electronic communication is obtained for at least certain of said **[members]** interested buyers from an on-line computer service.

89. (Amended) The commercial transaction system of claim 65 wherein the control system or the vendor site electronically outputs the indication to a certain subset of the interested **[those potential]** buyers.

94. (Amended) The commercial transaction system of claim 65 wherein the control system or the vendor site outputs an indication to said buyers at least in part by still picture information depicting at least in part the products or services relating to the areas of interest.

98. (Amended) The commercial transaction system of claim 65 further including an image display system for presenting high resolution still images to said **[potential]** interested buyer upon contact of said system, after the communication of the indication to said buyer regarding said area of interest.

100. (Amended) The commercial transaction system of claim 65 further including a dynamic video display system for presenting dynamic video to said **[potential]** interested buyer

upon contact of said system after the communication of the indication to said buyer regarding said area of interest.

112. An electronic commercial transaction system for selectively enabling communications via a communication network between **[members of plural groups, including]** at least one or more possibly interested buyer or buyers and at least one or more **[vendors]** vendor or vendor sites, at least certain of said buyers having addresses for electronic communication, the electronic commercial transaction system being adapted for use with an on-line computer service, comprising:

an interface for interaction with said electronic commercial transaction system, at least one said buyer adapted for utilizing an on-line computer service as at least a portion of said interface,

[a high resolution still image system to provide images to said possibly interested buyer,]

an input system for use by **[buyers]** a buyer to designate at least one area of commercial interest, where the one area of commercial interest includes an indication of the maximum price that the buyers are willing to pay for a product or service of commercial interest,

a memory for storing identification data of an interested buyer in association with said at least one designated area of commercial interest,

a high resolution still image system to provide images relating to the designated area of interest to said possibly interested buyer, and

a control system for isolating from the interested buyers that are identified to the commercial transaction system, at least **[certain of those potential buyers]** one buyer associated with **[an]** the area of commercial interest including the maximum price the buyer is willing to pay, and electronically outputting to an address for electronic communication relating to **[a potential]** the buyer an indication **[to said buyer]** regarding said area of interest including the images relating to the designated area of interest, said **[potential]** buyer using the input system for manipulating an image provided by the high resolution still image system relating to the area of commercial interest.

133. (Amended) The commercial transaction system of claim 112 wherein an address for electronic communication is obtained for at least certain of said **[members]** buyers from an on-line computer service.

158. (Amended) The commercial transaction communication system of claim 112 wherein the identification data is obtained for at least certain of said **[members]** buyers from said on-line computer service.

159. (Amended) An electronic commercial transaction system for selectively enabling communications via a communication network between at least one or more possibly interested buyer or buyers and at least one or more vendor or vendor sites, at least certain of said buyers having addresses for electronic communication, the system being adapted for use with an on-line computer service, comprising:

an interface for facilitating interaction of said interested buyers with said system,
at least one said buyer adapted for utilizing an on-line computer service as at least a
portion of said interface,

a dynamic video and audio system for providing video and audio at least from
said electronic commercial transaction system to said possibly interested buyer,

an input system for use by interested buyers to designate at least one area of
commercial interest,

a control system for isolating from the vendor sites that are identified to the
commercial transaction system, at least one vendor site associated with an area of
commercial interest,

a memory in association with the one vendor site for storing identification of the
interested buyer with stored video data and text data relating to the area of commercial
interest designated by the interested buyer; and

whereby the vendor site under control of the control system electronically outputs to an
address for electronic communication relating to the interested buyer, an indication to
said buyer regarding said area of interest, including a notification of availability of sales
presentations of the one vendor site wherein the sales presentation when subsequently
accessed by the buyer includes stored video relating to the area of interest including
dynamic video data or high resolution freeze frame video data and text data.

163. (Amended) The commercial transaction system of claim 159 wherein the control system
for isolating **[those potential buyers]** the select vendor site utilizes purchase data.

164. (Amended) The commercial transaction system of claim 159 wherein the control system for isolating **[those potential buyers]** the select vendor site utilizes cost data.

165. (Amended) The commercial transaction system of claim 159 wherein the control system for isolating **[those potential buyers]** the select vendor site utilizes price data.

166. (Amended) The commercial transaction system of claim 159 wherein the control system for isolating **[those potential buyers]** the select vendor site takes into consideration certain limitations that may be imposed with respect to certain buyers.

168. (Amended) The commercial transaction system of claim 165 wherein the control system for isolating **[those potential buyers]** the select vendor site further includes other factors in addition to price.

171. (Amended) The commercial transaction system of claim 159 wherein the control system or the vendor site outputs an indication to said buyers by an electronic mail (e-mail).

173. (Amended) The commercial transaction system of claim 159 wherein the control system or the vendor site outputs an indication to said buyers by a telephonic communication.

177. (Amended) The commercial transaction system of claim 159 wherein the control system or the vendor site outputs an indication to said buyers by an electronic bulletin board.

178. (Amended) The commercial transaction system of claim 159 wherein the control system or the vendor site outputs an indication to said buyers by facsimile.

180. (Amended) The commercial transaction system of claim 159 wherein an address for electronic communication is obtained for at least certain of said [**members**] buyers from an on-line computer service.

185. (Amended) The commercial transaction system of claim 184 wherein the control system or the vendor site outputs an indication to said buyers further including audio.

186. (Amended) The commercial transaction system of claim 159 wherein the control system or the vendor site outputs an indication to said buyers by video including information depicting at least in part the products or services relating to the area of interest.

187. (Amended) The commercial transaction system of claim 159 wherein the control system or the vendor site outputs an indication to said buyers by dynamic video relating to the area of interest.

188. (Amended) The commercial transaction system of claim 159 wherein the control system or the vendor site outputs an indication to said buyers at least in part by still picture information depicting at least in part the products or services relating to the areas of interest.

205. (Amended) The commercial transaction communication system of claim 159 wherein the identification data is obtained for at least certain of said **[members]** buyers from said on-line computer service.